App. F. IX-4

1940

193 .

( )

Legis

File No. 2-40

Serial Nos. 23

Previous References

Later References.

(10)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

Amendment to Defence of India Rules

WD 0573—GPB—22,500—12-9-39

Amendments to Defence of India Rules

General and Revenue Secretariat	File No.	of 194	[App. F. III-2

Serial No.

From

The Secretary to the Hon'ble the Member

F 3-40/40 dated 27th September 1940

forwards amendments to Defence of India Rules

As usual the notification will be got

republished.

Sealed with a draft

3/10/40

For approval

4/10

Law Secy)

4/10/40

3/10/40

TYPING SECTION
5 OCT. 1940
GEN. & REV. SECTT.

Send notification P 39-41/2-40-232 16.10.40

to Compiler

B

NOTE—Contn. Sheet.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.3-40/W

2211 p 240

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

CHIEF SECRETARY 28 SEP. 1940 GOVT. OF MYSORE.

Dated Bangalore, the 27th September *194* 0.

The Defence of India Rules.

SIR,

I am directed to draw the attention of the Government of Mysoreto the notifications by the Government of India, Defence Co-ordination Department Nos.566-O.R./40 and 496-O.R./40, dated the 14th September 1940, copies of which are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

VN

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40/W, dated Bangalore, the 24th September 1940.

The following notifications of the Government of India, Defence Co-ordination Department, Nos. 566-OR/40 and 496-OR/40, dated the 14th September 1940, are republished.

D. H. BISCOE,
for *Secretary to the Resident.*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 14th September 1940.

No. 566-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In rule 104 of the said Rules—

1. In the marginal heading, after the words "enemy firms" the words "and purchase of enemy currency" shall be inserted.

2. In sub-rule (1), clause (i) shall be omitted and clause (j) shall be re-lettered as clause (i).

3. In sub-rule (2), for the word, letter and brackets "clause (f)", the word, letter and brackets "clause (e)" shall be substituted.

4. After sub-rule (2), the following sub-rule shall be inserted, namely :—

"(2A) No person shall, directly or indirectly, purchase enemy currency".

A. DEC. WILLIAMS,
Secretary to the Government of India.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 14th September 1940.

No. 496-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In sub-rule (1) of rule 88 of the said Rules, the words "in any port, aerodrome or railway station, or in or from any vessel, aircraft or railway train," shall be omitted.

A. DEC. WILLIAMS,
Secretary to the Government of India.

Pol. 691

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

CB

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
B a n g a l o r e.

MEMORANDUM No. F.3-40/W.

CHIEF SECRETARY
15 OCT. 1940
GOVT. OF MYSORE.

Dated Bangalore, the 12th October *1940*.

The Defence of India Rules.

Attention is invited to notification by the Government of India, Defence Co-ordination Department, No.262-O.R./39, dated the 28th September 1940, a copy of which is enclosed.

for SECRETARY TO THE RESIDENT.

VN

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40/W, dated Bangalore, the 11th October 1940.

The following notification of the Government of India, Defence Co-ordination Department, No. 262-OR/39, dated the 28th September 1940, is republished.

D. H. BISCOE,
for *Secretary to the Resident.*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 28th September 1940.

No. 262-OR/39.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

After rule 88 of the said Rules, the following rule shall be inserted, namely:—

"Vehicles belonging to the Central Government.

88-A. (1) If it appears to the Central Government to be necessary or expedient so to do for securing the defence of British India or the efficient prosecution of war, the Central Government may by notified order declare that nothing in any restriction imposed by or under any law for the time being in force shall apply to, or to the driver or person in charge of, any vehicle or class of vehicles which is the property of the Central Government in the Defence Department or which is otherwise in the service of His Majesty for purposes of defence.

(2) When a declaration has been made under sub-rule (1), the Central Government may by order make such provision as appears to it to be required in the interests of safety for regulating the use of the vehicle or class of vehicles to which, or the qualifications or conduct of the driver or person in charge to whom, the declaration applies."

A. DEC. WILLIAMS,
Secretary to the Government of India.

601 (J)—12-10-1940—15—RPB.

Pol 692

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.3-40/W.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

CB

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

CHIEF SECRETARY
15 OCT. 1940
GOVT. OF MYSORE.

Dated Bangalore, the 12th October *1940*.

The Defence of India Rules.

SIR,

I am directed to draw attention to the notifications by the Government of India, Defence Co-ordination Department Nos.558-O.R./40, 532-O.R./40, 570-O.R./40 and 569-O.R./40, dated the 21st September 1940, copies of which are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

VN

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40/W, dated Bangalore, the 3rd October 1940.

The following notifications of the Government of India, Defence Co-ordination Department, Nos. 558-OR/40, 532-OR/40, 570-OR/40 and 569-OR/40, dated the 21st September 1940, are republished.

D. H. BISCOE,
for *Secretary to the Resident.*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 21st September 1940.

No. 558-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

For sub-rule (1) of rule 51 of the said Rules, the following sub-rule shall be substituted, namely :—

"(1) The Central Government or the Provincial Government may, with a view to protecting the general public or any members thereof against the dangers involved in any apprehended attack by land, sea or air, or with a view to acquainting the general public or any members thereof with the action to be taken in such an emergency, by order specify the action to be taken by any person or authority on such occasions as may be specified."

A. DEC. WILLIAMS,
Secretary to the Government of India.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 21st September 1940.

No. 532-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules—

(1) after sub-rule (2) of rule 66, the following sub-rule shall be inserted, namely :—

"(2a) The Central Government may by order require the owner, or the person having the management, of any vessel registered in British India to furnish to such authority as may be specified in the order such information in his possession relating to the vessel or to things on board the vessel (being information which may reasonably be required of him in connexion with the execution of this rule) as may be so specified".

(2) after sub-rule (3) of rule 72, the following sub-rule shall be inserted, namely :—

"(3) The Central Government may by order require the owner, or the person having the management of, any such aircraft or thing as is referred to in sub-rule (1) to furnish to such authority as may be specified in the order such information in his possession relating to the said aircraft or thing (being information which may reasonably be required of him in connexion with the execution of this rule) as may be so specified."

(3) after sub-rule (2) of rule 76, the following sub-rule shall be inserted, namely :—

"(2a) The Central Government or the Provincial Government may by order—

(a) require the owner or occupier of any building, part of a building, or other premises to furnish to such authority as may be specified in the order such information in his possession relating to the building, part of a building, or other premises, or to any fixtures, fittings, furniture or other things therein (being information which may reasonably be required of him in connection with the execution of this rule) as may be so specified;

(b) direct that such owner or occupier shall not, without the permission of the Central Government or the Provincial Government, as the case may be, dispose of such building, part of a building, or other premises, or of any fixtures, fittings, furniture or other things therein, till the expiry of such period as may be specified in the order."

(4) for sub-rule (3) of rule 79, the following sub-rule shall be substituted, namely :—

"(3) The Central Government may by order—

(a) require the owner or the occupier of any land to furnish to such authority as may be specified in the order such information in his possession relating to the land (being information which may reasonably be required of him in connexion with the execution of this rule) as may be so specified;

(b) direct that the owner or occupier of any land shall not without the permission of the Central Government dispose of the land or of any interest therein till the expiry of such period as may be specified in the order."

(5) after sub-rule (3) of rule 83, the following sub-rule shall be inserted, namely :—

"(3a) The Central Government may, with a view to the requisitioning of any animal, product, article or thing, or the determining of the price of any animal, product, article or thing which has been requisitioned, by order,

(a) require any person to furnish to such authority as may be specified in the order such information in his possession relating to the animal, product, article or thing as may be so specified;

(b) direct that the owner, or person in possession, of the animal, product, article or thing shall not, without the permission of the Central Government, dispose of it till the expiry of such period as may be specified in the order."

(6) after rule 117, the following rule shall be inserted, namely

"Power to require production of books etc.

"117-A. (1) Where any person is required by or under any of these Rules to make any statement or furnish any information to any authority, that authority may by order, with a view to verifying the statement made or the information furnished by such person, further require him to produce any books, accounts or other documents relating thereto which may be in his possession or under his control.

(2) If any person fails to produce any books, accounts or other documents in compliance with an order made under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine."

A. DEC. WILLIAMS,
Secretary to the Government of India.

DEFENCE CO-ORDINATION DEPARTMEN

NOTIFICATION.

Simla, the 21st September 1940.

No. 570-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In rule 81 of the said rules after clause (a) of sub-rule (2), the following clause shall be inserted, namely :—

"(aa) for controlling the rates at which any vessel registered in British India may be hired and the rates at which persons or goods may be carried in or on any such vessel."

A. DEC. WILLIAMS,
Secretary to the Government of India.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

Simla, the 21st September 1940.

No. 569-OR/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In rule 113-A of the said Rules—

1. In clause (a) of sub-rule (2) after the words "agent of the firm" the following words shall be inserted namely :—

> "and, subject only to such restrictions as the Central Government may impose, shall have in relation to the management of the affairs of the firm all such powers and authority as the firm itself would have if it were not an enemy firm."

2. After sub-rule (3) the following sub-rule shall be added, namely :—

> "(4) The provisions of this rule shall apply also in relation to a body of persons, whether incorporate or unincorporate, which is an enemy as defined in rule 97 and which is or at any time subsequent to the 2nd September 1939 was, carrying on business in British India, as they apply in relation to an enemy firm.".

A. DEC. WILLIAMS,
Secretary to the Government of India.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P 39-4s 2-40-23

General and Revenue Secretariat,

Dated Bangalore, ... 16th October ..... 1940.

NOTIFICATION.

The following Notification of the Government of India, Defence Co-ordination Department, are hereby republished for general information.

By Order,

15.10.40

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV and sending 100 spare copies to this office very early.

Tsn/12.